

1 **JOHN D. KAUFMANN**

2 Attorney At Law
3 Suite 905 Transamerica Bldg.
4 177 North Church Avenue
5 Tucson, Arizona 85701
6 (520) 623-2016 Fax (520) 623-8715

7 Arizona State Bar No. 004156
8 Pima County Computer No. 30436

9 **IN THE UNITED STATES DISTRICT COURT**

10 **FOR THE DISTRICT OF ARIZONA**

11 **UNITED STATES OF AMERICA,**) **NO. CR 08-303-TUC-DCB(CRP)**
12 **Plaintiff,**)

13 **vs.**)

14 **CHRISTOPHER MATHEW**) **MOTION FOR RELEASE FROM**
15 **CLEMENTS,**) **CUSTODY**

16 **Defendant,**)
17 _____)

18 **COMES NOW** Christopher Clements, by and through undersigned counsel of
19 record, John D. Kaufmann, and requests an order from this Court immediately
20 releasing Mr. Clements from custody. An Opinion has come down from the 9th
21 Circuit Court of Appeals reversing Mr. Clements' conviction in 9th Circuit Cause No.
22 09-10034. Mr. Clements is currently being held by the Department of Justice at
23 Dismas Charities. As the Indictment has been ordered dismissed, any further
24 incarceration of Mr. Clements would be unconscionable.
25

RESPECTFULLY SUBMITTED this 24th day of August, 2011.

s/ John D. Kaufmann

John D. Kaufmann

Attorney for Defendant